

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

King

Mailed: December 16, 2003

Opposition No. 91156394

The Black & Decker
Corporation
v.

Dewert Antriebs-und
Systemtechnik GmbH & Co. KG

Angela Lykos, Interlocutory Attorney

On September 2, 2003, applicant filed a proposed amendment to its application Serial No. 76/392,801, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods as follows:

Class 7 from "ELECTRIC MOTORS AND ELECTRIC DRIVING MECHANISMS COMPRISING ELECTRIC MOTORS AND MECHANICAL GEARS NAMELY CONTROL RODS FOR CONTROLLING ALL TYPES OF DEVICES" **to** "ELECTRIC MOTORS AND ELECTRIC DRIVING MECHANISMS COMPRISING ELECTRIC MOTORS AND MECHANICAL GEARS NAMELY CONTROL RODS SOLD TO MANUFACTURERS AS COMPONENTS OF OR FOR BEDS, STRETCHERS, CHAIRS, TABLES, CLOSETS, TABLES, WINDOWS, DOORS AND WORK SURFACES."

Class 9 from "ELECTRIC AND ELECTRONIC CONTROLLERS, ELECTRICAL TRANSFORMERS, ELECTRO MECHANICAL CONTROL DEVICES FOR ELECTRIC MOTORS AND ELECTRIC DRIVING MECHANISMS" **to** "ELECTRIC AND

ELECTRONIC CONTROLLERS, ELECTRICAL TRANSFORMERS, ELECTRO MECHANICAL CONTROL DEVICES FOR ELECTRIC MOTORS AND ELECTRIC DRIVING MECHANISMS SOLD TO MANUFACTURERS AS COMPONENTS OF OR FOR BEDS, STRETCHERS, CHAIRS, TABLES, CLOSETS, TABLES, WINDOWS, DOORS AND WORK SURFACES."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).¹

¹ Applicant's consented motion to extend time filed October 30, 2003 is granted.